

claims against it and dismissed AT&T as a defendant without prejudice. *Agbara I*, ECF Nos. 20, 21.

Prior to the dismissal, Plaintiff filed a second action against AT&T, Okoji and other defendants he claims assisted her and engaged in various other illegal actions. *Agbara v. AT&T*, 19-cv-2945-TSC (D.D.C.) (“*Agbara II*”). This second lawsuit included additional allegations and/or claims against Okoji. As it had in *Agbara I*, the court ultimately dismissed AT&T as a defendant without prejudice in the second lawsuit. *Agbara II*, ECF No. 24. While multiple defendants remain in *Agbara II*, only Okoji remains as a defendant in *Agbara I*. Okoji asks this court to dismiss the claims in both cases. *Agbara I*, ECF No. 37; *Agbara II*, ECF No. 38.

B. ANALYSIS

Okoji raises several arguments supporting dismissal of *Agbara I*, none of which the court need address here because Plaintiff effectively consents to dismissal of *Agbara I*. Responding to Okoji’s motion, Plaintiff states that

- *Agbara II* “effectively replaced the Complaint” in *Agbara I*. *Agbara I*, ECF No. 42, Pls. Resp. at 3.
- “In the instant case, the Plaintiff in both complaints is the same, the disputation [sic] arose from a common origin.” *Id.* at 6.
- “The right course of action is a steady one on the track of the second complaint that leads to a resolution of the state law claims against all remaining individuals [sic] defendants in a single trial. The Plaintiff, defendants, possible witnesses and evidence are the same in both complaints.” *Id.*

In light of these admissions, the interests of justice are not served by continuing with two separate lawsuits. Accordingly, by separate order the court will grant Okoji's motion to dismiss *Agbara I* without prejudice. The court will issue a separate opinion on Okoji's motion to dismiss *Agbara II*.

Date: September 30, 2021

Tanya S. Chutkan
TANYA S. CHUTKAN
United States District Judge